

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

LUFKIN RETAIL, LLC, §  
Plaintiff, §  
v. § CIVIL ACTION NO. 9:16-CV-00087  
SENECA SPECIALTY INSURANCE §  
COMPANY AND BASS §  
UNDERWRITERS, INC. §  
Defendants. §

AGREED MOTION FOR DISMISSAL WITH PREJUDICE

TO THE HONORABLE COURT:

Plaintiff, Lufkin Retail, LLC, and Defendant Seneca Specialty Insurance Company, file this, their Agreed Motion for Dismissal with Prejudice and would respectfully show unto the Court the following:

I.

Plaintiff and Defendant, through their counsel of record, announce to the Court that all matters in controversy between them have been fully and finally settled. Plaintiff no longer desires to prosecute this suit against Defendant Seneca Specialty Insurance Company.

II.

Plaintiff and Defendant move this Court to dismiss this case with prejudice, as to Defendant, with all costs to be taxed against the party incurring same.

WHEREFORE, Plaintiff and Defendant respectfully request the Court enter their Agreed Order of Dismissal with Prejudice.

Respectfully submitted,

*/s/ Van Gardner*

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*/s/ Christina de la Garza*

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 18th day of August, 2017, the foregoing motion was served by certified mail, return receipt requested upon the following counsel of record for Plaintiff:

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